REMARKS

After entry of the foregoing amendment, claims 1, 3-5 and 17-41 are pending in the application.

The withdrawal of art-based rejections against claims 1, 3-5 and 32-40 is noted with appreciation. These claims now stand rejected under § 101, alone.

Claims 17-31 stand rejected over Weiss (7,065,559) in view of Madsen (6,941,338).

Applicants acknowledge the Office's concern with *Bilski,* and the focus on ensuring compliance with the Office's guidelines re implementation of same.

Claim 1 was thought to properly comply with *Bilski* earlier. For example, although a method claim, it recited various "devices," that interacted with an identifier sensed from an "object." Thus, the claim did not seem susceptible to being practiced by mental steps alone.

However, to expedite prosecution, applicants have amended the claim to specify that the recited devices are "physical" devices. Moreover, the first device is now specified as being a "particular first physical device." Also, the recited data structure has now been more particular detailed as "comprising an electronic data store." Thus, there should be no remaining ambiguity about compliance with *Bilski.*

Claim 3 is also believed to comply with *Bilski.* Unlike claim 1 – which is a method claim, claim 3 is a system claim. It recites a "registration means," an "originating device means," a "routing means," and a "product handler means."

Construed with reference to the specification, each of these "means" comprises a particular physical device. In particular:

The registration means can be a server computer[1] that receives data relating to an object (e.g., a printed advertisement, 20), including its identity and its owner. The

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[1]   Element 19, Fig. 2; *see also* specification at page 12, line 25 through page 13, line 2.

registration means associates this information in a database (17) with data relating to a corresponding response.[2]

The originating device means can take many different forms, e.g., a cell phone, a personal digital assistant (e.g., a Palm Pilot), a personal computer, a barcode scanning system, etc.[3] This originating device means senses data from an input object, processes same, and forwards same to the routing means.[4]

The routing means can be a computer.[5] The routing means essentially serves as a middleman between the originating device means 12 and the product handler means 16. The routing means receives requests from the originating device means, logs information re same, and then forwards the requests to an appropriate product handler means.[6]

The product handler means also can be a computer.[7] This product handler means provides a response to the originating device means, in accordance with information provided thereto by the routing means.[8]

Claim 3 cannot be implemented via software alone.

Independent claim 32 has also been amended to more expressly follow *Bilski*.

Dependent claim 41 is newly added, and specifies that the sensing comprises sensing an object identifier from a first physical, tangible object, wherein the sensed identifier serves to identify the physical, tangible object. *In re Abele* expressly supports patentability of such an arrangement under Section 101. (*Bilski*'s discussion of *Abele* suggests that a claim transforming only electronic data will survive Sec. 101 scrutiny if the claim requires that the transformed data represent particular physical, tangible objects.)

In sum, none of Applicants' claims covers a process performed entirely by a human without any machine or physical article transformation.

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[2]   *See, e.g.,* specification, page 13, lines 7-19; page 14, lines 7-8.
[3]   *See, e.g.,* specification, page 3, lines 27-30.
[4]   *See, e.g.,* specification, page 4, lines 7-17; page 5, lines 5-8.
[5]   *See, e.g.,* specification, page 5, lines 9-10.
[6]   *See, e.g.,* specification, page 5, lines 12-15.
[7]   *See, e.g.,* specification, page 6, lines 15-16.
[8]   *See, e.g.,* specification, page 5, lines 21-22.

Turning to the art-based rejection of independent claim 17, neither Weiss (7,065,559) nor Madsen (6,941,338) teaches "… sending address information associated with such foreseen object payloads *after* sending address information associated with the first object."

As to independent claim 23, the cited art does not teach "*after initiating said link,* identifying additional objects…"

As to independent claim 24, the art does not teach "sending address information associated with such foreseen object payloads *after* initiating said electronic link."

As to independent claim 30, the art does not teach "foreseeing information about object payloads that may be forthcoming, *and the order* in which said other object payloads may be forthcoming, and anticipatorily sending address information associated with such foreseen object payloads, *in such order.*"

Because the art does not teach the underlined aspects of the rejected independent claims, Applicants respectfully submit that threshold showings of obviousness have not been established.

Favorable reconsideration is solicited

Date: May 4, 2009

CUSTOMER NUMBER 23735

Phone: 503-469-4800
FAX 503-469-4777

Respectfully submitted,

DIGIMARC CORPORATION

By____ /William Y Conwell/ _____
       William Y. Conwell
       Registration No. 31,943